



## DEPARTMENT OF THE NAVY

NAVAL HOSPITAL

BOX 788250

MARINE CORPS AIR GROUND COMBAT CENTER  
TWENTYNINE PALMS, CALIFORNIA 92278-8250

IN REPLY REFER TO:

NAVHOSP29PALMSINST 5390.2B

Code 0106

23 Jan 1996

### NAVAL HOSPITAL TWENTYNINE PALMS INSTRUCTION 5390.2B

From: Commanding Officer

Subj: EXTRA MILITARY INSTRUCTION (EMI) AND EXTENSION OF WORKING HOURS

Ref: (a) U.S. Navy Regulations  
(b) OPNAVINST 3120.32C

Encl: (1) EMI Assignment Form, NAVHOSP29PALMS Form 5390/01  
(2) Monthly EMI Report, Report Symbol# 5390-1

1. Purpose. To establish policy and procedures for Extra Military Instruction (EMI) and Extended Working Hours at Naval Hospital, Twentynine Palms, pursuant to references (a) and (b).

2. Cancellation. NAVHOSP29PALMSINST 5390.2A.

3. Background. In the past, there has been some uncertainty within the ranks of Navy Officers and Senior Petty Officers regarding the extent of their authority. Within the broad field of authority the specific role and nature of EMI has been most frequently addressed as one lacking in definition and consistency of application. Positive leadership at the Officer and Senior Petty Officer level is the primary and the most important means available to influence the behavior of subordinates. The need to resort to other measures frequently reflects a failure in leadership to produce adequate results. Effective commands have relatively few problems with substandard military behavior. The use of authority should never become a substitute for strong and positive leadership.

4. Authority and Responsibility. Authority is not absolute and it cannot be applied in an indiscriminate manner. Authority is tied directly to duties and responsibilities and it is only in the fulfillment of assigned duties and responsibilities that authority within the Navy is granted to individuals. Exercise of authority, therefore, is inseparable from and acceptance of responsibility and is granted only to support the fulfillment of assigned duties and responsibilities. Authority falls into two categories; general authority and organizational authority.

a. General Authority is that authority necessary to fulfill the responsibility and duties of all Officers and Petty Officers within the Navy. These are set forth in Article 1103 of reference (a), which requires all persons in the Naval service to show themselves as a good example of subordination, courage, zeal, sobriety, neatness, and attention to duty.

b. Organizational Authority is that authority held by Officers and Petty Officers derived from their assigned billets within a particular organization. Organizational structure is determined by command, department and organizational manuals.

c. Limitations of Authority. Authority includes the right to require actions of others as directed by oral and written orders. These orders must not be characterized by tyrannical or capricious conduct, or by abusive language. Since authority is given only to fulfill duties and responsibilities, only as much organizational authority considered necessary to fulfill responsibilities need be delegated and should never be delegated beyond the lowest level of competence.

d. Lawful orders. An order must be lawful and any order imposing punishment outside the framework of the Uniform Code of Military Justice (UCMJ) is illegal. Punishment may only be directed through judicial process or non-judicially through Article 15 UCMJ. Authority to administer nonjudicial punishment is carefully reserved by UCMJ to the Commanding Officer.

5. Policy Guidance. To establish consistency within this activity and to remove uncertainty, the following policy is established:

a. Extra Military Instruction (EMI)

(1) Definition. EMI is instruction in a phase of military duty in which an individual is deficient. It is intended and directed towards the correction of that deficiency. EMI is a non-punitive measure and a bona fide training device, intended to improve efficiency of this Command and must be genuinely intended as instruction and not used as a substitute for punitive action appropriate under the UCMJ. EMI must be logically related to the deficiency to be corrected.

(2) Implementation. EMI shall be implemented within the following limitations:

(a) The authority to assign EMI to subordinates is an integral part of the authority of all Officers, Chief Petty

Officers and Petty Officers. It is inherent in their position and vested in them in connection with their assigned duties and responsibilities as supervisors.

(b) EMI may be assigned for up to two hours per day. If it is assigned outside the member's normal working hours, it must be at a reasonable time. EMI shall not be performed on the member's Sabbath. After completion of EMI each day, a member who is otherwise entitled to liberty may begin liberty. The duration of the EMI regimen should be no longer than necessary to correct the individual's deficiency.

(c) Leading Chief Petty Officers or Leading Petty Officers, where no leading chief is assigned, are granted the authority to award up to 6 hours EMI to personnel assigned to their department.

(d) Department Heads and Division Officers are granted the authority to award up to 12 hours EMI to members of their department.

(e) The Executive Officer is granted authority to award up to 21 hours EMI to any enlisted member of this Command.

(f) If it is felt that more EMI is required than that which is authorized above, the individual shall be referred to the next higher authority.

(g) EMI must be monitored by an individual of adequate authority to effectively monitor and provide guidance for the instruction required. Usually, this is the individual who has assigned the EMI or someone who is familiar with the deficiency requiring correction.

(3) Examples of EMI. To assist with the assignment of EMI the following examples are provided:

(a) Deficiency: Late for duty/muster. EMI assigned should be to reinforce the requirement to be at an appointed place at an appointed time in the proper uniform of the day and could be to take a name by name muster of all personnel at quarters for submission, in writing, to the Leading Petty Officer.

(b) Deficiency: In appropriate/Inaccurate/Incomplete health record entries. EMI assigned should be to reinforce the importance of accurate health records and could be to verify health records for a period of time to correct the deficiency.

(c) Deficiency: Allowing a government vehicle to run low on oil during use (dereliction of duty). EMI should reinforce need to be attentive to assigned duty and to complete duties pursuant to existing guidance and could be to check all fluid levels of Command vehicles prior to liberty.

(d) Deficiency: Dirty/Improper Uniform. EMI should be directed to reinforce knowledge of uniform requirements and could be to prepare for and stand a sea bag inspection.

b. Extension of Working Hours

(1) General. Deprivation of liberty as a punishment, except as specifically authorized under the UCMJ is illegal. It is illegal for any officer or petty officer to deny to any of their subordinates normal liberty or privileges as punishment for any offense or malperformance of duty. It is not punishment if and when persons in the naval service are required to remain on board and be physically present outside of normal working hours for work assignments that should have been completed, for additional essential work, or for the currently required level of operational readiness.

(2) Implementation. All Department Heads, Leading Chief Petty Officers, and Leading petty Officers may extend the working hours of their subordinates in order to complete assigned duties or to maintain a required level of operational readiness.

6. Action

a. Individuals assigning EMI shall:

(1) Prepare enclosure (1), which delineates the deficiency involved, the EMI given and the individual who will be monitoring the EMI.

(2) Forward the completed enclosure (1) to the Chief Master at Arms via the member's department head if applicable), and the director.

b. The Chief Master at Arms shall:

(1) Maintain all records of EMI.

(2) Provide guidance as necessary to personnel assigning EMI to subordinate personnel.

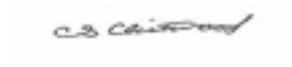
(3) Forward enclosure (2) to the Commanding Officer no later than the 10th working day of each month, negative reports are not required.

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7. New or Revised Forms and/or Required Reports:

a. The EMI Assignment Form, NAVHOSP29PALMS Form 5390/01 can be obtained through Central Files.

b. The Monthly EMI Report, Report Symbol #5390-1, is due to the Commanding Officer by the 10th working day of each month.

  
C. S. CHITWOOD

Distribution:  
List A

NAVHOSP29PALMSINST 5390.2B  
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EXTRA MILITARY INSTRUCTION (EMI) FORM

(Date)

MEMORANDUM

From: \_\_\_\_\_  
To: Chief Master of Arms  
Via: (1) Department Head (if applicable)  
(2) Director

Subj: ASSIGNMENT OF EXTRA MILITARY INSTRUCTION

Ref: (a) NAVHOSP29PALMSINST 5390.2B

1. Pursuant to reference (a), the following information is provided concerning Extra Military Instruction assignment for a member of my staff:

a. Name, Rank, SSN\_\_\_\_\_

b . Deficiency identified\_\_\_\_\_

\_\_\_\_\_.

c. EMI  
assigned\_\_\_\_\_

\_\_\_\_\_.

d. Number of hours assigned \_\_\_\_\_.

e. This EMI will end on \_\_\_\_\_, unless the deficiency is deemed to be corrected prior to that date.

f. This EMI will be monitored by \_\_\_\_\_.

2. I will notify my department head/director of the results of this EMI assignment and make further recommendations if the deficiency is not corrected.

SIGNATURE

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(Date)

MEMORANDUM

From: Chief Master at Arms  
To: Commanding Officer  
Via: Executive Officer

Subj: MONTHLY EXTRA MILITARY INSTRUCTION REPORT

Ref: (a) NAVHOSP29PALMSINST 5390.2B

1. Pursuant to reference (a), the following information is provided concerning Extra Military Instruction (EMI) assignment for the period covering\_\_\_\_\_:

- a. Number of personnel assigned EMI:
- b. Average number of days assigned:
2. The following personnel were assigned EMI during this period:
  - a. Name, Rate, SSN:
    - (1) Department:
    - (2) Deficiency:
    - (3) Amount and dates of EMI:
    - (4) Awarded EMI by:
    - (5) Nature of EMI performed:
  - b. Name, Rate, SSN:
    - (1) Department:
    - (2) Deficiency:
    - (3) Amount and dates of EMI:
    - (4) Awarded EMI by:
    - (5) Nature of EMI performed:
    - (6) Comments or recommendations:

SIGNATURE

REPORT SYMBOL # 5390-1

Enclosure (2)